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(65)

TRANSLATION OF REMARKS ACCOMPANYING  
AMENDMENT UNDER PCT ARTICLE 34  
(Original Japanese copy attached)

REPLY

To: The Patent Office Examiner

1. International Application Number: PCT/JP2003/11226

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4. Transmittal Date: 5/11/04

**Contents of Reply**

(1) According to PCT written opinion sent on May, 11, 2004, the claimed inventions of claims 1, 13 to 18, and 21 lack novelty and the claimed inventions of claims 2, 3, 8 to 11, 19, 35 to 37, and 41 to 50 do not involve inventive steps.

So, the applicant have amended claims as described in the amendments to the claims to show difference between the inventions disclosed in cited prior arts and the claimed inventions of this application. Hereinbelow, the applicant describes the amendments and compare the inventions of amended claims to the inventions of the cited prior arts to prove that the claimed inventions of this application have novelty and inventive steps.

(2) Original claim 1 has been cancelled. Original claims 2, 13, 23, and 35 have been amended to be limited to include the feature of claim 1. As a consequence, the applicant believes that the inventions of these amended claims have novelty and inventive steps. Besides, the inventions of dependent claims which depend from these amended claims have novelty and inventive steps as well.

(3) Inventions defined in amended claims 22 and 44

According to the PCT written opinion, the inventions of this application does not involve inventive steps in view of the combination of document 1 (JP 2000-51301 A) and document 3 (JP 10-263029A). However, with regard to a chair-like massaging apparatus, the invention of this application can solve the problem that a forearm massager obstructs a forearm placed on an armrest when the forearm is not to be

massaged. The documents 1 and 3 fail to describe or suggest such a problem.

From a forearm massager removably attached to a massaging apparatus which is not chair-like (document 1), and a chair-like massaging apparatus equipped with a forearm massager (document 3), the invention which can solve the problem is not easily anticipated.

(4) Invention of amended claim 13

According to the PCT written opinion, the claimed invention of original claim 13 does not have novelty based on the document 1. In accordance with a construction disclosed in the document 1, an outer wall 115 is pivotally attached to a lower portion of a convex portion 113 by a hinge 60. Around the hinge 60, an outer peripheral face 115b of the outer wall 115 and an outer face 113b of the convex portion 113 are configured to move close to and away from each other. In addition, an arm air bag 47 is provided on the outer wall 115 and thus, the forearm sandwiched between the convex portion 113 and the outer wall 115 is massaged by pressure.

On the other hand, the massaging apparatus of this application comprises "a driving portion configured to rotate a rotation portion", and the driving portion drives the rotation portion to move close to and away from a support face of a support base. The massaging apparatus further comprises a massaging portion configured to give pressure stimulation to an arm portion or the like of the user which is supported on the support base when the driving portion causes the rotation portion to rotate close to the support face".

The document 1 does not disclose the driving portion which is the element of the invention of this application. In addition, in the invention of this application, one driving portion allows the rotation portion to rotate and the massaging portion to give stimulation pressure to the arm portion, instead of driving portions independently provided. This inhibits an increase in the number of actuators, and reduces a complexity of the construction of the massaging apparatus, which are not achieved by the invention of the above cited prior arts.

From the above, the applicant believes that the invention of this amended claim 13 has novelty over the document 1. Further, the applicant believes that the invention of this application is not easily anticipated based on the document 1 and the documents 2 to 5, and hence involves inventive steps.

(5) Invention of amended claim 35

According to the PCT written opinion, the invention of original claim 35 does not involve inventive steps in view of the combination of the document 1 and the document 5(JP 2001-25497 A), including a configuration to change a position at which the pressure stimulation is given). However, in accordance with the construction disclosed in the document 1 (paragraph [0050] to [0070] pointed out by the examiner, a distance between vibration units 52 to 56, 62 to 66, and 76 and the user, i.e., how the user contacts these units, is changed to adjust the strength of vibration stimulation given to the user.

On the other hand, the invention of this application comprises a support base configured to support a leg portion or an arm portion of the

user and a pressing portion configured to cooperate with the support base to sandwich the leg portion or the arm portion. The pressing portion can move in the substantially longitudinal direction of the leg portion or the arm portion when the support table is immovable. That is, the pressing portion can change the position of the contact with the user while sandwiching the leg portion or the arm portion along with the support base, which is not disclosed in the documents 1 and 5.

Furthermore, the support base and the pressing portion of this application can prevent the leg portion or the arm portion from being moved in the direction in which the pressure is applied to the leg portion or the arm portion while massaging the leg portion or the arm portion, and can adjust the position of the leg portion or the arm portion to be massaged, which is not obtained in the inventions disclosed in the documents 1 and 5.

From the foregoing, the invention of amended claim 35 is not easily anticipated by the inventions disclosed in the documents 1 and 5.

(6) As thus far described, since the claimed inventions of amended claims 2, 13, 23 and 35 have novelty and inventive steps, the inventions of dependent claims which depend from these amended claims are unique inventions which are not suggested by the cited prior arts, and hence have novelty and inventive steps. Therefore, we believe these claims are allowable.